

** These minutes have not yet been approved by the Committee Chairwoman.*
PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

DATE: August 18, 2004

CALLED TO ORDER: 5:07 p.m.

ADJOURNED: 8:02 p.m.

ATTENDANCE

Attending Members

Mary Moriarty Adams, Chairwoman
Sherron Franklin
Lynn McWhirter
William Oliver
Lincoln Plowman
Scott Schneider
Steve Talley

Absent Members

AGENDA

PROPOSAL NO. 442, 2004 - approves an increase of \$41,250 in the 2004 budget of the Marion County Clerk (State and Federal Grants Fund) to fund the supervisor salary for the Pro Bono Project, funded by a grant from Indiana Criminal Justice Institute.
"Do Pass As Amended" Vote: 7-0

PROPOSAL NO. 468, 2004 - amends the Revised Code with respect to various fees paid to the Marion County Sheriff's Department
"Postponed" until 08-25-04 Vote 7-0

BUDGET HEARING

Overview – County Auditor
Marion County Sheriff
Forensic Services Agency
Marion County Justice Agency
County Coroner

PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

The Public Safety and Criminal Justice Committee of the City-County Council met on Wednesday, August 18, 2004. Chairwoman Mary Moriarty Adams called the meeting to order at 5:00 p.m., with the following members present: Sherron Franklin, Lynn McWhirter, William Oliver, Lincoln Plowman, Scott Schneider and Steve Talley. Also present were Councillor Greg Bowes and Chief Financial Officer Kent Burrow.

Chair Moriarty Adams, on behalf of the entire committee, expressed sympathy and condolences for the family of fallen police officer Timothy Laird and hopes of a speedy recovery to the officers that were injured during the incident that took Officer Laird's life. She asked for a moment of silence in honor of Officer Laird and those officers who were injured during the shooting.

PROPOSAL NO. 442, 2004 - approves an increase of \$41,250 in the 2004 budget of the Marion County Clerk (State and Federal Grants Fund) to fund the supervisor salary for the Pro Bono Project, funded by a grant from Indiana Criminal Justice Institute.

Marion County Clerk Doris Anne Sadler said Terry Bloomquist, Director of the Protective Pro Bono Project and the only paid attorney for the project, would be able to answer questions regarding the project. Ms. Bloomquist said the project uses volunteer lawyers to help victims of domestic violence. Cases come from shelters, hospitals, courts and protective order intakes. She said protective order recipients are more likely to follow through and finish court hearings if they have legal counsel representing them. The project helps victims obtain and enforce their protective orders. Ms. Bloomquist recruits and trains volunteer lawyers, law students and paralegals to work with victims of violence. The Clerk's Office is a pass-through for the grant, which is awarded from the Indiana Criminal Justice Institute. The grant will mostly reimburse the director's salary.

Councillor Talley said this is something required by law, put together with the Prosecutor's Office and requires no local taxes.

Councillor Talley moved, seconded by Councillor Oliver, to send Proposal No. 442, 2004 to the full Council with a "Do Pass" recommendation. This motion carried by a vote of 7-0.

PROPOSAL NO. 468, 2004 - amends the Revised Code with respect to various fees paid to the Marion County Sheriff's Department

Councillor Talley moved, seconded by Councillor Franklin, to "Postpone" Proposal No. 468, 2004 to the Committee's August 25, 2004 meeting. This motion carried by a vote of 7-0.

Budget Hearing

Marion County Prosecutor and Child Support Division

John Commons, Prosecutor's Office Chief of Staff, said the Council is aware of the fiscal situation of the Prosecutor's Office because of the previous budget hearing, therefore he wanted to give the Council an update of the Prosecutor's activities. He said three federal grants (Block Grants, Community Prosecution and Gun Violence Prosecution) will expire and not be renewed. However, the community is reliant on some of the programs that the grants fund. He said the goal for the Prosecutor's Office is to continue the programs in some form. The federal Block Grant funds are awarded to the Indianapolis Police Department (IPD) and a portion goes to the Prosecutor's Office for community prosecutors. They are the prosecutors that are assigned to the IPD and Sheriff districts. The prosecutors work directly with community organizations, community resource officers and detectives and officers assigned to the district offices. The prosecutors work on misdemeanors and D felony cases. Mr. Commons said those grants will be gone in April or May of 2005. At that time, there will be no money to provide for the program.

Mr. Commons said several other grants, including state grants, will expire, and some of the grants will be substantially cut or will be eliminated. Of particular concern should be the grant for "A Child's Haven." The program is located at the City-County Building near one of the domestic violence courts, Court 16. The primary goal of the program is to allow drop-in daycare for victims of domestic violence crimes that have child care issues. The parents and caregivers can then attend court hearings. It is a place for children to go where they can be supervised without having to go into the courtroom and reliving a domestic violence situation over again or disrupting court proceedings. The benefit is not only to the victims of domestic violence, but also to court officials and police officers who need to testify. It is a beneficial service to provide because it eliminates the cycle of domestic violence that occurs in the courtroom. Mr. Commons said it is difficult to get victims to come to court, and when additional obstacles occur it becomes almost impossible. He said victims need to be encouraged to attend court.

Community Prosecution is part of the Block Grant received by IPD. The program is 11 years old. It started with one prosecutor and has grown to eight prosecutors and eight support staff. Mr. Commons presented a video testimony from the Executive Director of Shepherd Community, who said that Community Prosecution has done a tremendous job in giving people a voice in their neighborhoods. Mr. Commons said they work directly with community members to identify their concerns. One of the benefits is better cooperation of the community with law enforcement in terms of providing information because they have been listened to and embraced. Citizens not only get better service from existing agencies, such as the police and Sheriff's departments, but the quality of life also improves.

Councillor Franklin asked if there is a charge for “A Child’s Haven.” Mr. Commons answered in the negative. Councilor Franklin asked if any districts share a community prosecutor or if each district has its own community prosecutor. Mr. Commons said four of the five districts have community prosecutors. The downtown district does not have a community prosecutor because no space is available. Councillor Franklin said she was going to suggest that the downtown district could share space with another district because the crime from the downtown district is different from the other districts. Mr. Commons said in the past there was a downtown community prosecutor but is none at the moment. He said the Sheriff’s Department shares a community prosecutor that is located at the Arrestee Processing Center (APC). The prosecutor is located at the APC because it is in the middle of the two Sheriff’s districts.

Councillor Talley said community prosecutors benefit the quality of life in the areas they serve. He said his district, which is on the east side, could not survive without the contact of the community prosecutor. He said the prosecutor knows the community and knows what is being talked about. Mr. Commons said if there were no community prosecutors it would be a major setback. He said in hard times cuts need to be made, but this is something that needs to be thought through very seriously. Unfortunately, it is a program that is fully grant funded. Community prosecutors are the ones that do the job, they do the legwork and take care of the community. Mr. Commons said they are proud of the Community Prosecution program and the Department of Justice has recognized the program. He said it a partnership between police, community prosecutors and community organizations.

Councillor Talley said the community prosecutors on the east side have been very instrumental in its apartment complexes. He said they coordinate activities between the Health and Hospital Corporation and other agencies. He said it cannot be stressed how important they are to the community.

Mr. Commons said the Gun Prosecution Unit is federally funded. It was a Project Safe Neighborhood grant that has expired. The program still exists because local match dollars are being used to fund the program. The grant will not be renewed. Gun prosecutions are hybrid investigations. Most cases arise from patrol officers getting involved in an incident. He said they do not have the equipment and training to do the follow-up investigation if an illegal gun was involved in an incident. The unit provides training for district officers and coordinates with IPD detectives in order to make the transition between the officers’ seizure of the gun, the gun use investigation, history of the gun, and putting together evidence to make a prosecution. He said it is focused on serious and violent felons that are in possession of guns. Mr. Commons said the program started out with a 50% conviction rate on serious and violent felony cases in 2002. In 2003, the conviction rate was 71%. The conviction rate for 2004 is approximately 83%. The number of gun cases is dropping, the conviction rate is increasing, and the homicide rate is dropping. Mr. Commons said the unit may be part of the reason for the decrease in gun cases. If more people stop carrying guns, maybe less people will be hurt because of gun violence. He said the program is not the only reason the homicide rate is decreasing, but it has to be a part of it.

Councillor Oliver asked for a comparison of locations that have prosecutors in their communities and if the presence of prosecutors made the difference. Mr. Commons said he believes the answer is yes, but it is not the community prosecutors, but the gun violence prosecutors that affect the conviction rates. He said the gun violence prosecutors focus exclusively on prosecuting and work with police officers daily on investigating cases. Other locations that have a similar gun violence program have a higher success rate. Councillor Oliver asked if the locations without the program have a good success rate. Mr. Commons answered in the affirmative.

Mr. Commons said the Marion County Justice Agency provided the numbers on case filings. The 2004 year-to-date filings may top the 2003 filings by 4,000 or 5,000 cases. The Metropolitan Emergency Communications Agency (MECA) was contacted to get projections. He wanted to know if case filings were going up because of screening procedures, number of arrests or number of police runs. The numbers from MECA show that the number of police and sheriff deputy runs went up. These runs could potentially lead to a prosecution. He said the correlation between the number of cases filed appears to be proportional to the number of runs. There are no other conclusions drawn.

Mr. Commons said they are aware that budgets need to be cut, but they want to preserve as many of the programs as possible. They want to continue to do their jobs effectively and wish the Council God-speed in trying to sort out the budgets.

Councillor Talley asked if there would be salary increases in any of the divisions. Mr. Commons answered in the negative. Councillor Talley said that is sad. Mr. Commons agreed and said it is hard for everyone, and the Prosecutor's Office should not be treated any different than others.

Councillor McWhirter asked if they would absorb the loss of the three grants within the \$7.3 million budget. Mr. Commons said they will not abandon the programs, because they are important and they will figure out something, but it will be less than the current budget amount. Mr. Commons said they will make adjustments to include all programs in some form. Councillor McWhirter asked if the Prosecutor's Office would seek grants from the private sector, particularly for "A Child's Haven" and Gun Prosecution. Mr. Commons said that Volunteers of America had staffed the program, but the organization is changing its focus. Lisa Bentley, Financial Director for the Prosecutor's Office, said they are actively seeking federal grants to fund other programs that may allow them to do other things for Community Prosecution. She said the federal focus is so different and prosecution is not at the top of the list. Mr. Commons said the Prosecutor's Office has sent people to the federal grant conference. He said everything is terrorism oriented and they are trying to figure out how the current programs can be tweaked to include terrorism.

Councillor Plowman said several times a month he deals with Community Prosecutors at his office at 38th Street and Post Road and community prosecutors really make a difference in that area. He does not want them to disappear because they are assets to the community.

Councillor Bowes asked if the Prosecutor's Office would stop looking for alternative grants once the Block Grants, "A Child's Haven" and Community Prosecutors are eliminated. Mr. Commons said there are no charitable organizations that will fund the Gun Prosecution program. He said the Indiana Criminal Justice Institute (ICJI) is a potential source and they are having problems with their funds like the county is. Councillor Bowes asked if most of the funds were federal and state grants through certain agencies. He said that looking outside of government opportunities will probably not be helpful because philanthropists fund mostly social programs. Mr. Commons said that is the way it appears. He said they started a mentoring program and they got some folks who want to contribute to that, so they have formed a 501(c)3 non-profit organization for that program. He said member of the community will be on the board, and people will give money to children but they will not give money to Gun Prosecutors because they do not see the connection. Councillor Bowes said the Council could put together a budget with a small amount for grant funding based on what the Prosecutor expects to get next year. Then later if they find additional sources of grant funding it would be easy for the Council to come back during the budget year and not wait until the following year for the Prosecutor to make an application to the Council saying they have additional money and it just needs to be appropriated. Mr. Commons agreed. Councillor Bowes asked if the Council could add to the budget during the year. Mr. Commons answered in the affirmative. Councillor Bowes said he wanted to understand the different funds that the Prosecutor has. He said based on the Auditor's paperwork, the Prosecutor gets money from the County General Fund, a Deferral Fee Fund, a Diversion Fee Fund, and there is a separate Child Support Fund. Mr. Commons said there is a separate Child Support budget. Councillor Bowes stated that the Prosecutor operated from three funds and the Council adopts a fiscal ordinance for grants. Mr. Commons answered in the affirmative. Councillor Bowes said that he was trying to sort out the Deferral Fee Fund and the Diversion Fee Fund because the numbers do not add up. He said he was trying to get statistics from the court administration on the number of cases that went through the referral process and the diversion fund and determine how it added up into the budget used from those funds. Councillor Bowes asked when budgets are presented under those funds if there is anticipation that those budgets will be funded solely from those fees. Mr. Commons said that is difficult to answer and a lot of staff is paid from the Deferral or Division Funds. He said those revenues fluctuate, and that has an impact on their ability to maintain some things. He said they cannot function under the current fiscal situation. Councillor Bowes said he was trying to determine how the money gets into the funds. Mr. Commons said those monies are generally collected by the Marion County Clerk, then go to the Auditor, and the Auditor maintains the account for the funds. He said they can then draw on those accounts after money has been appropriated by the Council. The Prosecutor's Office has agreements and memorandums of understanding (MOUs) with various police agencies who get a share of the funds. The courts also get part of the money and it is not all Prosecutor's money. Mr. Commons said the statute states that the money is part

of the Prosecutor's Fund, but they cannot generate the money with others, so they share the money. He said they are in the midst of trying to figure out the impact of raising the court cost from \$110 to \$150. He said they agreed to voluntarily give money to the jail for beds in Jail II. Councillor Bowes said he understands that the fees are set by statute, which is \$50 for the initial fee and \$10 per month for the length of time a person is on the program. Mr. Commons agreed. Councillor Bowes said he was basing those amounts on six months, with the County keeping approximately 30% of the Deferral Fee and 100% of the Diversion Fee. He said when he calculated this amount, it was less than what is in the fund. He said it sounds like Court costs are being added to the fund in addition to the statutory diversion fees. Mr. Commons said he would need to defer to the Auditor to explain.

Dan Jones, Deputy Auditor, said there is a great deal of fluctuation in the revenue stream. He said with the Deferral Fund, they receive a check or a payment from the Clerk's Office each month, and the Diversion Fund is less frequent. He said the diversion fee is an agreement with the Prosecutor's Office and someone who has a misdemeanor charge to keep the case out of court. It is diverted from the court system. Deferral is also used for the Safe Driver Program. A person gets a traffic ticket for \$150 and the person goes to traffic court and pays \$150. If the person qualifies for a deferral, which means the person has not had a ticket in the past two years, the majority of the money automatically goes into the Deferral Fund and is divided according to a formula between the Courts, the Prosecutor's Office, the Auditor's Office, and the law enforcement agency that wrote the ticket. Councillor Bowes asked if that was under the MOU. Mr. Jones answered in the affirmative. Mr. Jones added that the source of revenue fluctuates greatly. Mr. Commons said he also wants to know the amount that is in the fund. Councillor Bowes said they were not able to multiply the \$110 by the number of cases the Court Administration said was deferrals or divisions, so he is wondering from where the money is coming. Mr. Jones said he thought the number would have been less than that because 100% of the traffic tickets are not collected. Councillor Bowes said that is another problem. He said he was talking with someone in Court Administration and from what he understood there were two ways to resolve a traffic ticket. One way is that a person admits they were speeding and mails in the payment. If someone disputes a ticket or enrolls in a safe driver program, these fees would go into the Deferral program, and it would be docketed under Court 13. He said the numbers do not add up. Mr. Jones said the difference might be fund balance that was in the account at the beginning of the year. He said the revenue for the Deferral Fund now is between \$2.5 and \$3 million per year. He said it has a larger budget because of beginning fund balance. Mr. Commons said there is also an issue about IPD's share and if their payments were current. Mr. Jones said he thought it was current. Councillor Bowes said he anticipated there could be a fund balance, but even so, looking at the numbers from 2002 and 2003 the amount coming in is still less than the amount in the fund compared to the budget out of the fund. He said maybe he is using the wrong number. He said if he is correct there is a shortfall each year and more is being added to the use of the fund. He said he does not know where the revenue is coming from to support the fund. Mr. Jones said it could be the number of tickets that were counted because that number fluctuates greatly. He said approximately 200,000 tickets are written per year and that is

lower than in previous years. Councillor Bowes said his understanding of total infractions and ordinance violations in 2003 was approximately 142,000, and that includes things that would be in environmental court such as trash violations. He said he is assuming that money other than deferral money is going into the Deferral Fee Fund. Mr. Jones said it could be the number of cases because that fluctuates greatly also. Councillor Bowes said his problem is that he is trying to use the number of tickets that Court Administration provided. Councillor Bowes asked for the situation to be looked into.

Councillor Bowes said diversion fees are for misdemeanors only. He said the cases dismissed as a result of diversion in 2003 were 1,005 cases, with \$665,000 in the fund. He said the most that can be earned through diversion is \$110. Mr. Commons said some require training. Councillor Bowes said it should be a pass-through of the Court. Mr. Commons said they can charge a certain amount per month as long as a person is on the program, so the amount can go over \$110 according to statute. Councillor Bowes said he does not agree in looking at the statute. Mr. Commons said he could not answer Councillor Bowes' questions and the Prosecutor's Office does not handle the account. Ms. Bentley said they do not see the amount until they get the Auditor's report and they use a projected amount for the budget. Councillor Bowes asked where the projection came from. Ms. Womacks said it came from her accounting division. Councillor Bowes asked where the accounting division and the Clerk get their numbers. Mr. Jones said when they are estimating revenues it is based on trends. He said they try to be conservative with the funds to make sure they do not come up short. In looking at the Diversion Fund, the revenues are anywhere from \$600,000 to \$900,000 per year. Councillor Bowes said he has not seen the revenue side of the funds. He said things just do not add up according to the number of cases that the Court Administrator said went through the Diversion or Deferral Funds. Mr. Jones said they get the information from the Clerk, but the Auditor comes up with the dollar amount.

Chairwoman Moriarty Adams stated that more discussion on this matter will have to be held at a later time.

John Owens, Chief Deputy Prosecutor, Child Support Division, stated that the total caseload has increased over the first six months of this year by 4,000 cases. There are ten Deputy Prosecutors to handle the caseload.

Councillor Talley asked that the Auditor help out with salaries or health care costs for the employees of the Child Support Division, if possible.

Councillor McWhirter asked if the Annual Docket Fee is being collected through the courts. Mr. Owens answered in the affirmative, and stated that the funds are going back to the federal government. Councillor McWhirter asked if there are any type of processing fees that are charged. Mr. Owens stated there is a \$25 fee that is charged if the family does not qualify through a federally funded program, but this money will also go back to the federal government.

Mr. Owens stated that the local government is eligible for 66% reimbursement, and the state government also provides funding.

Kent Burrow, Chief Financial Officer, asked the Auditor if there was a spike in the revenue for 2004 or is that a delayed payment. Mr. Jones stated that it is a delayed payment.

Marion County Clerk:

Doris Anne Sadler, Marion County Clerk, explained the slide presentation on the budget, which is in Exhibit A. [Clerk's Note: Exhibit A is on file with the original set of minutes from this meeting in the Council office.] Key points of the presentation were:

- The Docket Fees are \$20 a year plus a \$10 late fee if paid after February 1st.
- There was a \$200,802 increase in the docket fees by mailing an annual docket fee letter, and most of these funds go to the County General fund.
- The Clerk's Office has worked with the courts to educate judges about the Docket Fees.
- Employees are offered compensatory time instead of overtime pay.
- Employees are among the lowest paid in the county.

Councillor Schneider asked if the Docket Fees are set by state law. Ms. Sadler answered in the affirmative.

Councillor Oliver asked if the employees were aware that they would receive compensatory time off instead of overtime. Ms. Sadler answered in the affirmative.

Ms. Sadler said there are a few special funds. The first is the Perpetuation Fund, which is the fee to preserve records or to make improvements on the record system and equipment. The current balance in this fund is \$495,000. Ms. Sadler stated that money has been moved from this fund to cover general operating expenses under the statute. The other fund is the Enhanced Access Fund, which must be used for the replacement of capital expenditures or operating expenses. This fund has \$1,600. The other fund is for Title IV-D Incentive Payments. These funds must be used to supplement and not replace existing funds. The balance in this fund is \$317,000. Ms. Sadler stated that the Auditor's proposed 2005 budget had zero dollars in the travel expense section. If this is accepted, there would be no money for the bus passes that are given to the employees. In order to cover the bus passes, the amount needed is \$9,300.

Councillor Franklin asked if the only travel expense was the bus passes. Ms. Sadler answered in the affirmative. Ms. Sadler stated the other critical area of shortage is the printing services. If this service is not funded, the only way to absorb the cost would be to stop printing the forms for the court, and there would be a reduction of at least four court clerk positions.

Councillor McWhirter asked what are the child support coupon books. Ms. Sadler said they are almost like a mortgage payment book. It is what child support payers use to make their payments and these are used by the majority of the child support payers.

Councillor Franklin asked if the forms that are provided are the same forms that the officers use. Ms. Sadler answered in the affirmative, and stated that the clerks have tried to reduce the printing cost and put the forms on-line.

Chairwoman Moriarty Adams asked if the Perpetuation Fund could be used to offset the print costs in Character 03. Ms. Sadler answered in the negative, stating that the Clerk's Office has stretched that fund beyond the legal limit.

Councillor Talley stated that the Council needs to step up and do a better job with taking care of these employees. Ms. Sadler said that the Marion County Clerk's Office can meet the Auditor's budget, but it will require a reduction in services.

Community Corrections:

Brian Barton, Executive Director for Community Corrections, explained the presentation on the Community Corrections Budget, which is in Exhibit B. [Clerk's Note: Exhibit B is on file with the original set of minutes from this meeting in the Council office.] Key points of the presentation were:

- The Council approved \$1.8 million for the Community Corrections to start a pre-trial work-release program and to grow a pre-trial home detention program.
- Since July 2003, over 1,000 offenders have been placed on these programs.
- The Work Release Center will help out a lot with the jail crowding.
- The County General budget cut for 2005 is 36% and this budget cut will place the Work Release Center in jeopardy.
- Most of the Community Corrections initiatives have been at no cost to the taxpayers, but are paid through user fees.
- The proposed budget cuts would impact the Community Corrections Center, which houses 340 inmates a day, and the Work Release Center when and if it ever gets up and running.
- Department Of Corrections has committed over \$300,000 to help get the center operating.

Kent Burrow, Chief Financial Officer, asked what the rent request is for in Character 03. Mr. Barton stated that the Character 03 request is for a lease purchase, which is a ten-year lease with the option to purchase the building after the tenth year.

Ms. Womacks stated that Mr. Barton has always been extremely helpful in using the extra funding that was available to help other agencies. It was not the Auditor's intent to cut the budget for Community Corrections until the Auditor's Office found out that the revenue projections were at a shortfall.

Mr. Jones asked if the offenders that are in the work release program will be paying a fee. Mr. Barton answered in the affirmative and stated they will be paying 50% of their net pay.

Marion County Justice Agency:

Melinda Haag, Director of the Marion County Justice Agency, stated that the mission of the Justice Agency is to provide support to Public Safety Agencies throughout Marion County, and that has been achieved within the budget and without asking for additional funding. Ms. Haag stated that when the Justice Agency heard about the crisis in the budget, they were the only public safety agency that contacted the Auditor's office and volunteered a cut of 5%. In addition, the Justice Agency turned in a budget to the Auditor's Office with a 14% cut. Now the proposed cut for 2005 is 40%. Ms. Haag stated that the Pre-trial Release Officers are people who are required to monitor people who are placed out on bond pre-trial. There are 10 Pre-trial Officers that manage 21 criminal courts. If the budget proposed by the Auditor is elected, the Justice Agency will have to lay off six Pre-trial Officers, which will leave four Pre-trial Officers to manage 21 criminal courts. Ms. Haag stated that there are seven Failure-to-Appear Officers, and of those officers, three will be laid off.

Chairwoman Moriarty Adams asked if the proposed budget cut will have an impact on the grant dollars that the Justice Agency receives. Ms. Haag stated that the Project Safe Neighborhood grant would be impacted, and two Failure-to-Appear Officers would be laid off.

Councillor McWhirter asked if there are any other funding sources that could be increased to make up some of the difference in the proposed budget cuts. Ms. Haag answered in the affirmative, stating that there is the Conditional Release Fund that is paid by fees for individuals that are on pre-trial release. Councillor McWhirter asked how much the fees are. Ms. Haag stated that for people who are charged with A, B, C, and D felonies, the cost is \$100.00 and for those charged with misdemeanors, \$50.00. Mr. Jones asked how many people are paid out of the Conditional Release Fund. Ms. Haag said there are three officers right now, but in 2005 there will be five. Mr. Jones asked if there is a \$400,000 fund balance in the Conditional Release Fund and if more of the positions could be paid out of that fund. Ms. Haag stated that this balance is accrued over a period of years, and this will only cover salaries and benefits for three positions. Mr. Jones asked if the Justice Agency has access to the County Misdemeanant Fund. Ms. Haag answered in the affirmative, and stated that this fund provides a partial salary for one position.

County Coroner:

John McGoff, Marion County Coroner, stated that the budget that has been proposed for 2005 will place the Coroner's Office in a position that will not allow his office to operate up to standard. The Coroner's Office is aware that these are tough times for governmental units, and are working diligently to find other sources of funding. Mr. McGoff explained the presentation on the County Coroner Budget, which is in Exhibit C. [Clerk's Note: Exhibit C is on file with the original set of minutes from this meeting in the Council office.] Key Points of the presentation were:

- Originally the Coroner's Office was told to transfer monies from Characters 02, 03, and 04 to pay personnel decent wages. This money was transferred in and now appears as a supplemental and as if they are requesting additional dollars.
- Character 02 is short by \$15,628 and will not cover the cost for supplies that are mandatory in 2005.
- In Character 03, the Coroner's Office will not be able to pay phone bills, contractual obligations for services, or computer assistance costs.
- The proposed budget will mean the Coroner's Office will need to close on November 15, 2005. Death investigations will cease on that date.

Councillor Franklin asked if there is a list of every agency the Auditor is allowed to cut. Mr. Jones stated that there is a list of agencies on page B7 in the Marion County 2005 Proposed Budget book.

Chairwoman Moriarty Adams asked how much money was returned to the County General Fund in 2003 and is there an anticipated amount of money to be returned for 2004. Mr. McGoff answered that \$108,000 was returned to the County General Fund and the anticipated amount for 2004 was the same as last year's based on the need for building repairs.

Councillor McWhirter asked if the money that would be returned to the County General Fund could be appropriated back to the County Coroner's Office to be used for next year. Ms. Womacks stated that she thinks the money would have to be amended into their budget for next year.

Chairwoman Moriarty Adams asked if there are any other agencies that may have possible funds to return to the County General Fund. Ms. Womacks stated that she is not sure.

Councillor McWhirter asked what agencies funds reverts back to the County General Fund. Frances Kelly, Chief Deputy Coroner, stated that the only funds that revert back to the General Fund are the agencies that are funded by the General Fund.

CONCLUSION

With no further business pending, and upon motion duly made, the Public Safety and Criminal Justice Committee of the City-County Council was adjourned at 8:14 p.m.

Respectfully submitted,

Mary Moriarty Adams, Chairwoman
Public Safety and Criminal Justice Committee

MMA/rjp

